

## JEROME'S HAT NOT IN RING

It's On His Head as Soon as Thaw Lawyer Says He's Coming.

## LET'S SHEARN COOL HEELS

"Famous Trunk of Evidence" Escapes Inspection—Battle of Alienists to Close Hearings.

Clarence J. Shearn, counsel for Harry K. Thaw, was much exercised yesterday because he failed to get the opportunity he expected to rummage through the trunk of Thaw data at the Wall street office of W. T. Jerome, who is conducting the Thaw opposition at the sanity hearings in White Plains.

To convince Thaw's counsel that he did not have certain letters which Mr. Shearn was anxious to obtain, Mr. Jerome suggested at the hearing on Friday that the lawyer come to his office and look through the trunk for himself. Mr. Shearn was naturally provoked when he came in from the country to find that Mr. Jerome had gone for the day. No one at the office would think of allowing the visitor to root about while "the judge" was away.

Speaking of the incident afterward Mr. Shearn said:

"When I got to Jerome on the stand on Friday and asked him about the letters Dr. Austin Flint had written him during the Thaw trials, he swore they were not in that famous trunk of evidence at Jerome's office. He said I could come down there any time to-day and look through the trunk. I came to town for that very purpose this morning, and telephoned Mr. Jerome. He said that I should not now be in his office. I was about to start for his office when Mr. Jerome telephoned that he was just putting his hat on and would be gone for the day. He said I would have to wait until Monday afternoon."

The Flint letters are very important documents for Thaw to get in evidence, according to Mr. Shearn, who forcefully expressed the opinion that he would get them yet. He predicted that the search for the letters would create more of a sensation before he got through with it than the capture of "Susie" Merrill from Thaw's alleged agents by Jerome detectives.

## Openly at Swords' Points.

Mr. Jerome and Mr. Shearn have rapidly reached the point in the Thaw proceedings where they have dropped the word "evidence" from their vocabulary so far as the Thaw trial is concerned. Incidents illustrating their belligerence are almost too numerous to mention. When Mr. Shearn asked Mr. Jerome to produce a certain paper at the last hearing the latter was unresponsive except to say:

"I decline to answer your question."

Whereupon Mr. Shearn promptly called Mr. Jerome to the witness stand, and the papers in question were produced, but a stipulation by Mr. Jerome that the paper be marked for identification, and later probably introduced in evidence.

The following colloquy then ensued about the Flint letters:

"You were subpoenaed to produce certain letters that Dr. Flint wrote you during the Thaw trials, were you not?" asked Mr. Shearn.

"Yes," said Mr. Jerome, with a rising tone of voice.

"Will you produce them now?"

"I haven't them to produce."

"Where are they?" queried Mr. Shearn.

"I believe the letters to which you refer are in the files at the District Attorney's office; they are not in my possession."

"Are they not in the custody of data and documents of the Thaw trials which you have at your office?" asked Mr. Shearn.

"No; I have been through the trunk three times personally, and cannot find them," said Mr. Jerome.

"I am very willing that Mr. Shearn should go through the trunk himself, with me or one of my assistants present," Mr. Jerome added.

"When are you willing that I should do that?" asked Mr. Shearn.

"Oh, most any time to-morrow or later," said Mr. Jerome.

"All right, I'll do that," said Mr. Shearn as he excused his opponent from the witness stand.

## Alienists to Battle Next.

The battle of medical experts will soon be on at the Thaw hearings. The state has no witnesses remaining, except Dr. Flint, Dr. Carlos F. MacDonald and Dr. William Mabone, superintendent of the Manhattan State Hospital, on Ward's Island. The alienists on the Thaw side are Professor Adolph Meyer, of Johns Hopkins University; Professor Charles K. Mills, of the University of Pennsylvania, and Professor Frederick Peterson, of Columbia University. The state alienists are expected to testify that Thaw is still insane, while the three medical men retained by the Thaws probably will be just as firm in their opinion that Thaw is in no way irrational.

Mr. Shearn probably will continue to read into the record the case book of Matteawan as it relates to Thaw's case at that institution, which was closed on Friday. It is expected that several lay witnesses will be called by Thaw's lawyers to refute some of the testimony introduced by Mr. Jerome. It is not unlikely, however, that Dr. Flint will be called to give the first expert testimony to-morrow.

Hundreds of letters from persons all over the country have been received at the White Plains courthouse since the Thaw hearings began. Court Clerk Franklin Montrose has taken charge of all, and none has been turned over to Justice Keogh. Some of the writers assert that Thaw is a victim of conspiracy and urge his release. Others declare he would be an undesirable citizen if freed.

## "What a World!" Written One.

An unsigned letter, written in a shaky hand, is addressed to "Thaw's Judges," and reads in part:

"I believe the sympathy of the public was with Thaw when he shot White. It is a

## THE NEW YORK CURB BROKERS' BASEBALL TEAM WHICH DEFEATED THE BOSTON CURB BROKERS YESTERDAY.

(Photo by Paul Thompson.)



## BEANS SHOW DECLINE

New York Curb Team Beats Bostonians by 18 to 7.

## DINNER FOLLOWS GAME

Raid on Coney Island To-day Expected to Cause Weakening in Both Markets.

After an afternoon of unprecedented activity in New York the curb market closed at 4:30 o'clock yesterday afternoon with an advance of 18 points to its credit. Beans, however, were nervous, and, though strong toward the last, failed to respond in time to the upward tendency, closing 11 points short.

Which is how a Wall Street "fan" might inform you that the New York Curb baseball team beat the nine of the Boston Curb by a score of 18 to 7. The game was played at Washington Park, Brooklyn, before a field of embryo financiers, telephone girls and ordinary baseball "buds."

It was almost as exciting as a strenuous day on the curb, according to the verdict of those who have been through both. When the teams lined up for the initial ball the betting was even money, with the odds on the home team if even money was not to be found. But past history gave not the slightest inkling of a clue as to what the result would be, for the first run-in of the curbs, in 1909, resulted in a victory for Boston, by a score of 5 to 4, and the second, the following year, favored New York by the same reckoning. Last year there was no game.

By all the laws of chance yesterday's game should have been fought to a tie, the odds on the home team if even money was not to be found. But past history gave not the slightest inkling of a clue as to what the result would be, for the first run-in of the curbs, in 1909, resulted in a victory for Boston, by a score of 5 to 4, and the second, the following year, favored New York by the same reckoning. Last year there was no game.

The barons had declared that the laws of France, where they were married, and those of Switzerland, where the divorce was secured, provided that when a wife secured a divorce the husband should return all property received from her.

The reconveyance of the property indicates that the case has been settled out of court.

## MODISTES SUE EVELYN THAW

## Process Servers Find Her at Husband's Hearing at White Plains.

Several merchants with claims against Mrs. Evelyn Nesbit Thaw, who heretofore has been unable to serve her with summons in suits they have begun here, are taking advantage of her attendance at the sanity hearing of her husband, Harry K. Thaw, in White Plains.

A few days ago a trustee in bankruptcy for the estate of Captain Murphy, who was a partner in the Thaw family, filed a suit for \$400 for some jewelry she bought and for which it was alleged, she did not pay. Another action was filed in the Supreme Court yesterday against Mrs. Thaw, in which she was also served in White Plains. The plaintiff in this suit is Louise C. Modistes, who claim \$500.

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